

November 19, 2020

Nicholas Diamand
Partner
ndiamand@lchb.com

VIA ECF

The Honorable Gary R. Brown
United States District Judge
Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722-9014

RE: *Arab Salem v. Nikola Corporation, et al.*, No. 2:20-cv-04354-GRB-SIL


Dear Judge Brown:

My firm, along with the firm Entwistle & Cappucci, LLP, represent plaintiffs Albert Holzmacher, Michael Wood, Tate Wood and Joseph Roe (collectively, the "Nikola Investor Group") in the above-referenced action.

Earlier this week, on behalf of the Nikola Investor Group, we filed a motion for appointment as lead plaintiff and approval of selection of lead counsel pursuant to the Private Securities Litigation Reform Act of 1995 (the "PSLRA") (*see* Dkts. #33, 37-40). Due to a clerical error (especially while working remotely under COVID-19 restrictions), we inadvertently filed Docket #35 (a *draft* version of the memorandum of law in support of the motion). Upon realizing this oversight, we promptly filed a correct version of the memorandum (*see* Dkt. #37). We respectfully request removal of the draft memorandum (Dkt. #35) from the docket to avoid any confusion and distraction to the Court or the parties, and to ensure a clean record.

We apologize for any inconvenience, and appreciate the Court's attention to this matter.

Very truly yours,



Nicholas Diamand

cc: Robert Cappucci, Esq., Entwistle & Cappucci, LLP
Ms. Karen McMorro, Chambers of Gary R. Brown, U.S.D.J.